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Honorable Frederick P. Corbit
Chapter 11

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF WASHINGTON AT SPOKANE/YAKIMA

In re:

GIGA WATT INC.,

Debtor.

NO. 18-03197

DECLARATION OF THOMAS H. DYE
IN SUPPORT OF MOTION TO
COMPEL REJECTION OF UNEXPIRED
COMMERCIAL REAL ESTATE LEASE

I, Thomas H. Dye, declare under penalty of perjury of the laws of the State of Washington as follows:

1. I am over the age of 18, make this declaration based upon my personal knowledge, and am competent to testify on the matter stated herein

2. I am the chief executive officer of landlord/creditor Executive Flight, Inc. ("Landlord").

3. Landlord owns the commercial property commonly known as One Campbell Parkway, East Wenatchee, WA 98802 ("Premises").

4. Debtor/tenant Giga Watt, Inc. ("Debtor") leased the Premises from Landlord for the purpose of operating its business.

5. Debtor defaulted on the lease by failing to pay November rent in the amount of \$8,047.13. Landlord served a Notice to Pay or Vacate. Payment never came in. Although, Tenant later vacated the Premises.

6. Debtor then filed for bankruptcy protection.

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7. As of December 5, 2018, Debtor has not paid December rent. Moreover, Debtor's counsel confirmed in writing that Debtor intends to reject the lease.

8. Landlord has located a potential tenant who is interested in leasing a portion of the Premises and who desires to take occupancy on January 1, 2019. As such, Landlord is requesting that Debtor's lease be rejected.

9. To the best of my knowledge, the rent called for in the lease is at market rate, and as such, the lease has no value to the bankruptcy estate.

I hereby certify under penalty of perjury of the laws of the State of Washington that the foregoing is true and correct.

SIGNED this 5th day of December, 2018, at East Wenatchee, Washington.

Thomas H. G.

Thomas H. Dye

DECLARATION OF THOMAS H. DYE IN SUPPORT OF MOTION
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ESTATE LEASE – 2

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